
Notice of Intent to Adopt a Rule

TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH

LSA Document #01-166

Under IC 4-22-2-23, the Indiana State Board of Animal Health intends to adopt a rule concerning the following:

OVERVIEW: Amends 345 IAC 7-3.5, including requirements for obtaining a livestock dealer license and requirements for operating a livestock market or otherwise dealing in livestock. Makes other changes in laws governing livestock marketing. Comments on the proposed rule may be sent to the Indiana State Board of Animal Health, Attention: Legal Affairs, 805 Beachway Drive, Suite 50, Indianapolis, Indiana 46224, or by electronic mail to ghaynes@boah.state.in.us. Statutory authority: IC 15-2.1-3-19.

TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH

LSA Document #01-167

Under IC 4-22-2-23, the Indiana State Board of Animal Health intends to adopt a rule concerning the following:

OVERVIEW: Amends 345 IAC 7-7, including requirements for disposing of dead animals and grease. Adds requirements for disposing of condemned and inedible byproducts from the slaughter of animals. Makes other changes in the law of dead animal disposal. Comments on the proposed rule may be sent to the Indiana State Board of Animal Health, Attention: Legal Affairs, 805 Beachway Drive, Suite 50, Indianapolis, Indiana 46224, or by electronic mail to ghaynes@boah.state.in.us. Statutory authority: IC 15-2.1-3-19.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #01-172

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Amends 405 IAC 1-12-24 to assess community residential facilities for the developmentally disabled (CRFs/DD) and intermediate care facilities for the mentally retarded (ICFs/MR) not operated by the state in an amount not to exceed ten percent (10%) of annual gross residential services revenue of the facility for the facility's preceding fiscal year. Statutory authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2; IC 12-15-32-11.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #01-175

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Adds 405 IAC 2-3-1.2 concerning Medicaid penalties for transferring assets for less than fair market value. This section would specify that the purchase of an annuity or similar arrangement is considered a transfer of assets for less than fair market value unless the annuity is irrevocable, commercially issued, actuarially sound, and provides substantially equal monthly payments with no balloon payment. Statutory authority: IC 12-8-1-9; IC 12-8-6-5; IC 12-13-7-3; IC 12-15-1-10.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #01-176

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Amends 405 IAC 2-3-1.1 to specify the method for calculating the Medicaid eligibility penalty for transferring income. Specifies that when the right to a stream of income is transferred for less than fair market value, the penalty is calculated based on the projected total income expected to be transferred during the individual's lifetime. Specifies that a transfer of income includes, but is not limited to: (1) transferring income-producing real property; and (2) accepting less than the fair market rental value when property is rented. Repeals 405 IAC 2-3-1 and makes conforming amendments to 405 IAC 2-3-1.1. Statutory authority: IC 12-8-1-9; IC 12-8-6-5; IC 12-13-7-3; IC 12-15-1-10.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #01-177

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Adds provisions affecting providers and recipients of adult foster care and assisted living services under the Medicaid waiver program authorized by Public Law 100-2000. Statutory authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2.

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TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

LSA Document #01-159

Under IC 4-22-2-23, the Indiana State Department of Health intends to adopt a rule concerning the following:

OVERVIEW: The rules will replace the current home health rules, 410 IAC 17-1 through 410 IAC 17-8. The new rules will protect the health, safety, and welfare of patients, govern the qualifications of applicants for licenses, govern the operating policies, supervision, and maintenance of service records of home health agencies, and govern the procedure for issuing, renewing, denying, or revoking an annual license to a home health agency. Written comments may be submitted to the Indiana State Department of Health, Attn: Office of Legal Affairs and Policy, 2 North Meridian Street, Indianapolis, Indiana 46204. Statutory authority: IC 16-27-1-7.

TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

LSA Document #01-168

Under IC 4-22-2-23, the Indiana State Department of Health intends to adopt a rule concerning the following:

OVERVIEW: Amends 410 IAC 15-2.5-7 and 410 IAC 15-2.7-1 to update the guidelines for design and construction of hospital and health care facilities. Written comments may be submitted to the Indiana State Department of Health, 2 North Meridian Street, Attention: Office of Legal Affairs, Indianapolis, Indiana 46204. Statutory authority: IC 16-21-1-7.

TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

LSA Document #01-169

Under IC 4-22-2-23, the Indiana State Department of Health intends to adopt a rule concerning the following:

OVERVIEW: Amends 410 IAC 15-1.5-8 and 410 IAC 15-1.7-1 to update the guidelines for design and construction of hospital and health care facilities. Written comments may be submitted to the Indiana State Department of Health, 2 North Meridian Street, Attention: Office of Legal Affairs, Indianapolis, Indiana 46204. Statutory authority: IC 16-21-1-7.

TITLE 470 DIVISION OF FAMILY AND CHILDREN

LSA Document #01-173

Under IC 4-22-2-23, the Division of Family and Children intends to adopt a rule concerning the following:

OVERVIEW: Amends 470 IAC 10.1-1-2(1) to update the categories of supportive services that will be reimbursed and the amount of reimbursement for those services in order to more accurately reflect current needs and costs. Supportive services are provided when necessary for an individual's participation in an employment or training activity pursuant to the IMPACT portion of the AFDC/TANF program. Statutory authority: IC 12-13-5-3.

TITLE 470 DIVISION OF FAMILY AND CHILDREN

LSA Document #01-174

Under IC 4-22-2-23, the Division of Family and Children intends to adopt a rule concerning the following:

OVERVIEW: Adds 470 IAC 10.2 to establish and regulate the Short Term Empowerment Process (STEP), which will provide voucher assistance to families who are experiencing an employment crisis and who are not receiving TANF assistance. The purpose of STEP is to assist such families during a crisis in order to avoid the need for long term TANF assistance. 470 IAC 10.2 will define terms and funding, establish eligibility guidelines, and proscribe the requirements for administration of STEP by County Offices of Family and Children. Statutory authority: IC 12-13-5-3.

TITLE 511 INDIANA STATE BOARD OF EDUCATION

LSA Document #01-162

Under IC 4-22-2-23, the Indiana State Board of Education intends to adopt a rule concerning the following:

OVERVIEW: Amends 511 IAC 5-2-4 to provide testing accommodations to students with limited English proficiency. Statutory authority: IC 20-1-1-6; IC 20-10.1-16-10.

TITLE 511 INDIANA STATE BOARD OF EDUCATION

LSA Document #01-163

Under IC 4-22-2-23, the Indiana State Board of Education intends to adopt a rule concerning the following:

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OVERVIEW: Adds criteria and procedures for assessing school improvement, establishing categories or designations of school improvement, and placing schools in categories or designations of school improvement as required by IC 20-10-2-5. Statutory authority: IC 20-1-1-6.

TITLE 515 PROFESSIONAL STANDARDS BOARD

LSA Document #01-171

Under IC 4-22-2-23, the Professional Standards Board intends to adopt a rule concerning the following:

OVERVIEW: Amends 515 IAC 1 to establish the transition to teaching program effective July 1, 2002. Public comments are invited and may be directed to the Indiana Professional Standards Board, Attention: Legal Affairs, 251 East Ohio Street, Suite 201, Indianapolis Indiana 46204-2133, or by electronic mail to thansen@psb.state.in.us. Statutory authority: IC 20-1-1.4-7; IC 20-6.1-3-11.

TITLE 575 STATE SCHOOL BUS COMMITTEE

LSA Document #01-140

Under IC 4-22-2-23, the State School Bus Committee intends to adopt a rule concerning the following:

OVERVIEW: Adds 575 IAC 1-8 to prescribe performance standards and measurements for determining the physical ability necessary for a person to be a school bus driver. Statutory authority: IC 20-9.1-4-4(b).

TITLE 760 DEPARTMENT OF INSURANCE

LSA Document #01-181

Under IC 4-22-2-23, the Department of Insurance intends to adopt a rule concerning the following:

OVERVIEW: Amends 760 IAC 1-5 and 760 IAC 1-14 regarding standards for premium rates for credit insurance products, compensation to be paid to agents, definitions, and technical corrections. Written comments may be submitted to the Indiana Department of Insurance, Attention: Liz Carroll, 311 West Washington Street, Suite 300, Indianapolis, Indiana 46204 or email to lc Carroll@state.in.us. Statutory authority: IC 27-1-3-7, IC 27-8-4-12.

TITLE 839 SOCIAL WORKER, MARRIAGE AND FAMILY THERAPIST, AND MENTAL HEALTH COUNSELOR BOARD

LSA Document #01-160

Under IC 4-22-2-23, the Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board intends to adopt a rule concerning the following:

OVERVIEW: Adds 839 IAC 1-1-6 concerning the definition of "graduate". Adds 839 IAC 1-1-7 concerning the definition of "graduate accumulating experience". Adds 839 IAC 1-2-2.1 to establish requirements for licensure retirement and licensure reinstatement. Adds 839 IAC 1-3-5 to establish examination requirements for social workers and clinical social workers. Repeals 839 IAC 1-2-4 concerning the disclosure of credentials. Repeals 839 IAC 1-5-6 concerning examination exemption for mental health counselors. Repeals 839 IAC 1-6-6 concerning continuing education required for renewal on April 1, 2000. Questions or comments may be directed by mail to the Social Worker, Marriage and Family Therapist and Mental Health Counselor Board, 402 West Washington Street, Room W041, Indianapolis, Indiana 46204, or by electronic mail to wlowhorn@hpb.state.in.us. Statutory authority: IC 25-23.6-2-8.

TITLE 844 MEDICAL LICENSING BOARD OF INDIANA

LSA Document #01-183

Under IC 4-22-2-23, the Medical Licensing Board of Indiana intends to adopt a rule concerning the following:

OVERVIEW: Adds 844 IAC 4-2-2 to establish fees by the medical licensing board of Indiana for licensure as a medical doctor or osteopathic doctor. Repeals 844 IAC 4-2-1. Public comments are invited. Statutory authority: IC 25-22.5.

TITLE 868 STATE PSYCHOLOGY BOARD

LSA Document #01-179

Under IC 4-22-2-23, the State Psychology Board intends to adopt a rule concerning the following:

OVERVIEW: Amends 868 IAC 1.1-15-11 concerning continuing education requirements for license renewal. Questions or comments concerning the proposed rule amendments may be directed to bmcnutt@hpb.state.in.us. Effective 30 days after filing with the secretary of state. Statutory authority: IC 25-33-1-3; IC 25-33-2-5.
